

As a staunch Democrat I support the right of an immigrant to run and become President of the United States after an appropriate amount of time as a naturalized citizen in our country - yes even Republican Arnold Schwarzenegger.

But I don't support an immigrant becoming President of the United States *before* the American people have a *citizenship* right to vote!

Most Americans will be surprised - shocked is more like it - to learn that the *right to vote* is *not* explicitly in the U.S. Constitution. Of the 119 nations that elect their politicians in some democratic manner, 108 of them have the constitutional right to vote - including Afghanistan and the interim document in Iraq. The U.S. is one of the 11 that don't!

You say, "I'm a registered voter and every time there's an election I'm entitled to vote - and I vote. What do you mean I don't have a "right to vote?"

I mean as an American you don't have a *citizenship* right to vote. Voting in the United States is a "state right" not a "citizenship right."

The U.S. Supreme Court in *Bush v. Gore* (2000) ruled in very plain language, "*the individual citizen has no federal constitutional right to vote for electors for the President of the United States* ." It's electors in the Electoral College, not the direct popular vote of the people that elects the President and Vice President. State legislatures appoint electors to the Electoral College and those electors can, if they choose, ignore the popular will (vote) of the people in casting their vote.

What's the difference between a *citizenship right* and a *state right*? The First Amendment contains *individual citizenship rights* that go with you *from state*

to state

(that is, they are the same wherever you are in the U.S.); and they are protected and enforced by the federal government - theoretically you have equal protection under the law by the executive, legislative and judicial branches of the federal government. Therefore, as a result of the First Amendment, every American citizen has an

individual right

to free speech, freedom of assembly, and religious freedom (or to choose no religion at all), regardless of which state you are in - individual rights that are protected by the federal government. A

state right

is

NOT

an

American citizenship right

(that is, not protected by the federal government), but a right defined and protected by each state - and limited to that state. Therefore, when it comes to voting, each state, county and local election jurisdiction - and there are 13,000 - is different (separate and unequal) because voting is a

state right

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But don't the 15th, 19th and 26th Amendments give African Americans, women and 18-year-olds the right to vote? No! Each of those amendments is stated in the negative and guarantees African Americans, women and 18-year-olds respectively *non-discrimination in voting*. They do *not* grant them an affirmative individual right to vote that follows them from state-to-state.

That's why I have proposed House Joint Resolution 28, which would add a citizenship right to vote to the Constitution as a new amendment.

Perhaps Democrats and Republicans can find common ground. Democrats should support a constitutional amendment that gives immigrant citizens the right to be President and Republicans should support a citizenship right to vote. Both would advance democracy.